



UNITED STATES PATENT AND TRADEMARK OFFICE

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Paper No. 12

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MAR 24 2004

OFFICE OF PETITIONS

In re Application of :
Rampp : DECISION NOTING JOINDER
Application No. 09/980,527 : OF INVENTOR AND PETITION
Filed: April 29, 2002 : UNDER 37 CFR 1.47(a) MOOT
Atty. Dkt. No.: 5873US.04 :
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This decision is in response to the alternative petition under 37 C.F.R. § 1.47(b)," filed February 20, 2004.

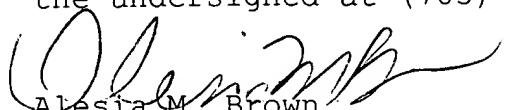
The petition under 37 C.F.R. § 1.47(b) is hereby **DISMISSED AS MOOT.**

A petition under 37 C.F.R. § 1.47 is appropriate in instances for which an inventor or the legal representative of an inventor is unavailable or refuses to execute an oath or declaration. An executed declaration was submitted April 29, 2002 in response to the Missing Requirements Notice mailed February 28, 2002. The declaration lacked a power of attorney, as indicated by the examiner in an Office action mailed August 22, 2003. The Office acknowledges receipt of the executed power of attorney submitted herewith.

Applicant indicates that Matthias Dorn is the legal representative of legally incapacitated inventor Erwin Rampp. The Office no longer requires proof of authority of the legal representative of a deceased or incapacitated inventor. Although the Office does not require proof of authority to be filed, any person acting as a legal representative of a deceased or incapacitated inventor should ensure that he or she is properly acting in such a capacity. The Office is relying on counsel's duty of good faith and candor in accepting that inventor Erwin Rampp is legally incapacitated and lawfully represented by Matthias Dorn.

This application is being forwarded to Technology Center 3700 for further processing.

Telephone inquiries related to this decision may be directed to
the undersigned at (703) 305-0310.



Alesia M. Brown
Senior Petitions Attorney
Office of Petitions